

# William Jones Jr "2009 Walter E. Craig Award Speech"

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I am truly humbled by this day and this recognition. To be in a list of distinguished colleagues such as Mark Wilmer, Burr Udall, Karl Mangum and last year's recipient, Mike Flood, makes it even more special.

I had the honor to know Judge Walter E. Craig as a lawyer, as President of the American Bar Association and as a human being. I learned from Judge Craig by being in his courtroom and by sharing meals with him at the community table at the old Arizona Club. He was a man who knew the true meaning of the word "SERVICE" and he distinguished himself by carrying it into practice.

This is a particularly poignant award for me because it honors "SERVICE" -- which for me is a given.

My father was a country lawyer in the hills of Kentucky. As a youngster, I learned from him that the greatness of these United States is, in significant part, based on the rule of law. The rule of law equalizes all individuals and distinguishes us from many, if not most, of the other nations in the world. It supports our democracy and protects our citizens from a totalitarian rule. It allows us to live in peace and dignity and avoids the chaos we see throughout the world.

As a child, I learned something else from that small town lawyer as I sat around his one-room office. As a profession, we have been granted exclusive custody of a great public trust. Our fellow citizens have charged us with the task of being the guardians and trustees of our system of justice. We are responsible for protecting, shaping, nourishing and growing that justice system for all of our citizens. This message was not only my father's, but was also eloquently delivered by the thoughtful faculty as I matriculated through the University of Michigan Law School.

So it was that when I raised my hand and took the oath to become a lawyer, it had already been instilled in me that with the oath of the profession I was accepting an

awesome responsibility. That is the responsibility of *A Public Servant*; the responsibility to do my small part to discharge our profession's fiduciary duty to protect, shape, and grow our justice system so that all of our citizens can prosper together as a free nation. So, you see, the basis for this wonderful award today stems from what has always been a natural part of my life. Contributing back to the profession and our society is a sacred obligation that goes hand-in-hand with the privilege of being a member of this honorable profession ?? ?? and, my friends, it *IS* an honorable profession no matter how some of its members may denigrate it with selfish and thoughtless words and actions.

This public trust bestowed on us is not irrevocable, however, and I fear that some of our profession have either forgotten or, sadly, were never instilled with the obligations of their position as public servants and trustees of this great justice system. I fear that those of our profession who have brought it into disrepute could cause us to lose some or all of our trusteeship. Indeed, even in these times we see our exclusive custodial position eroding, and with it, we also see the continual erosion of respect for the system. Disrespect of the justice system is, in a measure, disrespect for this great country.

Unquestionably, there are a variety of reasons that so many in our profession have abandoned their obligation to contribute. One of those reasons is that communication has become a dying art. By the dying art of communication, I refer, primarily, to the fact that we have allowed our lives to become so hectic that we do not sit down face-to-face with our families, our friends, our colleagues and our professional associates and talk openly about the values that have made us great as families; as law firms; as a society; and as a nation. We have not taken the time to remember that when the final judgment of who we are and what we may have accomplished is made, it will not be based on how many cases we have won, but rather how we have fulfilled our obligations to others. We will not be judged on the number of billable hours or the bottom line. We will be judged, in part, on whether we worshiped at the idol of the almighty dollar or whether we served others by discharging our duties as the trustees and guardians of our great justice system.

For those of us who learned our obligations from our parents, teachers, our

professors and our mentors, it is almost second nature to say yes when we are asked to participate in the improvement of the justice system or of our profession. I suspect that the majority of our profession, *when asked*, would also step forward and lend a helping hand. The question is one of leadership. Any significant change requires two factors: First, a leader; and Second, a cause. We have the leaders. In fact, a significant percentage of the leaders of our great profession will be attending this meeting over the next several days. It is to you that I make my plea to identify the causes and lead the way to healthy change which will set us on a course of improving what is already the greatest justice system in the world.

Identifying the causes is not difficult. We as a profession cannot sit idly by when the media attacks and pillories our judiciary because an unpopular decision is not in keeping with what the media wanted. How difficult is it for our bar associations to form committees of highly respected practitioners to respond to unjustified media criticism of those judges who cannot speak for themselves? And when those in our Legislatures duck difficult issues of public policy because they are controversial, how difficult would it be for us as a profession to remind those distinguished representatives that with their abdication of responsibility, they have forfeited their right to complain of "judicial activism" when these matters of public policy are decided in the courts?

We also need to ask ourselves whether we as a profession are providing the leadership to address these and other issues with intellectual honesty. Why not approach our law schools and demand that its students be taught these contributory values, and that the ethical rules are minimum standards of behavior, not aspirations? Why do we leave the teaching of these values and the addressing of these issues to folks who have never been in a courtroom or experienced the obligations of representing a client in a life and death situation?

There is enormous intellect and capability sitting in this room today. I dare say that with the brainpower and influence of those here today, there are precious few problems with our justice system that could not be addressed and effectively improved. The causes are there and the leadership is here. I suggest that we have a personal obligation to merge the leadership with the causes and get the job done.

Avoiding the temptation to worship at the idol of the all mighty dollar may well

mean that I will not leave a great financial legacy to my beloved wife and children. When I look in the mirror, however, I do not see a balance sheet. I see a person who can say he has done his best to fulfill the obligations of the public trust bestowed upon him as a member of this **HONORABLE** profession. I would hope that each member of our profession will share with me the question I ask myself on almost a daily basis as I grow older ?? ?? Who Am I and What Am I Really All About?

Again, all of you have my undying gratitude for this recognition.

William R. Jones, Jr.

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